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RK 6856PG269

TRANSFER  
TAX  
PAID

**QUITCLAIM DEED WITH COVENANT**  
**Maine Statutory Short Form**

**009196**

**Waterville Commons Associates, L.L.C.**, an Ohio limited liability company ("Grantor") which claims title by virtue of deed dated May 1, 2001 and recorded in Kennebec County Registry of Deeds in Book 6481 Page 78 and with a place of business at 1765 Merriman Road, Akron, Ohio 44313, for consideration paid, does hereby give, grant, bargain, sell and convey unto **RT New England Franchise, L.L.C.**, an Delaware limited liability company ("Grantee"), its successors and assigns, whose mailing address is 28 Dane Street, Kennebunk, ME 04043, with Quitclaim Covenant, the land in City of Waterville, County of Kennebec, and State of Maine, referenced as Restaurant Parcel on the Subdivision Plat of Waterville Commons, Route 104 a.k.a. Main Street, as recorded in Plat Book E2001, Page 035 dated 4/19/2001, Kennebec County, Maine, together with appurtenant rights all as set forth and described as follows:

**LEGAL DESCRIPTION**

Fully described on attached Exhibit "A".

To have and to hold the aforegranted and bargained premises, with all the privileges and appurtenances thereof, to the said Grantee, its successors and assigns. And Grantor does covenant with the said Grantee, its successors and assigns, that Grantor shall and will warrant and defend the premises to the said Grantee, its successors and assigns forever, against the lawful claims and demands of all persons claiming by, through, or under Grantor.

In witness whereof, **Waterville Commons Associates, L.L.C.**, has caused this instrument to be signed by June Futia, Vice President of OM Minot Capital Corp., the Managing Member of OM Minot Associates, L.L.C., the Managing Member of Waterville Commons Associates, L.L.C. this 19 day of March, 2002.

Witness:

**Waterville Commons Associates, L.L.C.**  
By: **OM Minot Associates, L.L.C.**  
Its: **Managing Member**  
By: **OM Minot Capital Corp.**  
Its: **Managing Member**

By: June Futia  
June Futia, Vice President

Florence Seale  
June Futia

Atlantic Title 4  
76 Atlantic Place  
So. Portland, ME 04106

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State of Ohio            )  
                                  ) ss:  
County of Summit        )

March 19, 2002

Then personally appeared the above-named June Futia, the Vice President of OM Minot Capital Corp., the Managing Member of OM Minot Associates, L.L.C., which is the Managing Member of Waterville Commons Associates, L.L.C. and acknowledged the foregoing instrument to be her free act and deed in her said capacity and the free act and deed of said corporation and limited liability companies.

Florence Scalera  
Notary Public

P:\11500\11550\11550 Deed 03.19.02.doc



FLORENCE SCALERA  
NOTARY PUBLIC  
STATE OF OHIO  
Recorded in Summit Cty.  
My Comm. Exp. 2/28/06

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**Exhibit A - Property Description**  
**Restaurant Parcel**

A certain lot or parcel of land, together with any improvements located thereon, situated in the City of Waterville, County of Kennebec and State of Maine, more particularly described as follows:

Commencing at a point depicted on a plan entitled *Subdivision Plat- Waterville Commons, Route 104 a.k.a. Main Street, City of Waterville, Kennebec County, State of Maine*, sheet 2 of 2, prepared for OM Minot Associates, L.L.C. and OM Crystal River Associates, L.L.C., prepared by Survey & Geodetic Consultants, Inc., dated March 8, 2001, revised through March 27, 2001, and recorded in the Kennebec County Registry of Deeds in Book E-2001, Page 36. Said point of beginning being at the intersection of the Common Access Road Parcel and the westerly sideline of Main Street; thence,

S 65° 02' 13" W a distance of two hundred ninety five and 18/100 (295.18) feet, along the northerly sideline of said Common Access Road Parcel to a point; thence,

N 79° 49' 16" W a distance of five hundred ninety-five and 92/100 (595.92') feet, along the northerly sideline of said Common Access Road Parcel to a point, said point being the POINT OF BEGINNING; thence,

S 03° 36' 18" W a distance of one and 62/100 (1.62') feet to a point on the Common Access Road Parcel; thence,

N 79° 47' 57" W a distance of one hundred twenty one and 22/100 (121.22') feet along the Common Access Road Parcel to a point; thence,

N 85° 09' 54" W a distance of one hundred six and 59/100 (106.59') feet along the Common Access Road Parcel to a point; thence,

N 04° 50' 06" E a distance of three hundred fifty five and 69/100 (355.69) feet along the Staples Parcel, as described in a deed recorded in said Registry in Book 6481, Page 78, to a point; thence,

S 86° 23' 42" E a distance of two hundred nineteen and 35/100 (219.35') feet, along the land now or formerly of Lafayette Waterville, Inc., as described in a deed recorded in said Registry in Book 4469, Page 146, to a point; thence,

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S 03° 36' 18" W a distance of three hundred seventy and 20/100 (370.20') feet along said Lafayette Waterville, Inc., to the point of beginning.

Said parcel is shown as "Restaurant Parcel" on said plan entitled *Subdivision Plat-Waterville Commons, Route 104 a.k.a. Main Street, City of Waterville, Kennebec County, State of Maine*, prepared by Survey & Geodetic Consultants, Inc. and dated March 8, 2001, revised through March 27, 2001, and recorded in the Kennebec County Registry of Deeds in Book E-2001, Pages 035 and 036.

Said parcel being a portion of the property conveyed to Waterville Commons Associates, L.L.C. in a deed from OM Crystal River Associates, L.L.C., dated May 1, 2001 and recorded in the Kennebec County Registry of Deeds in Book 6481, Page 78.

TOGETHER WITH an easement in common for pedestrian and vehicular ingress and egress over the Common Access Road Parcel, as shown on said Plan.

TOGETHER WITH:

- a. a non-exclusive easement and right to the use of the curb cuts, roadways, driveways, aisles, walkways and sidewalks (but not parking areas) of the other Parcels for purposes of ingress, egress, passage and delivery by vehicles and pedestrians;
- b. non-exclusive easements in, to, over, under and across the other Parcels in the development wherein no building structures are located for the purpose of installation, operation, maintenance, repair, replacements, removal and relocation of underground storm sewer lines, sanitary sewer pipes, septic systems, water and gas mains, electric power lines, telephone lines, and other underground utility lines ("Utility Lines");
- c. non-exclusive easements in, to, over, under and across the Common Parcels for the purpose of installation, operation, maintenance, repair, replacements, removal and relocation of drainage ponds and systems, including underground Utility Lines; all as more particularly described in an Agreement of Easements and Restrictive Covenants and Memorandum of Option dated February 16, 2001, and recorded in the Kennebec County Registry of Deeds in Book 6408, Page 191; and in a Reciprocal Easement and Operation Agreement dated June 22, 2001, and recorded in the Kennebec County Registry of Deeds in Book 6526, Page 154.

RECEIVED KENNEBEC SS.

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ATTEST: *Beverly Austin-Hallaway*  
ACTING REGISTER OF DEEDS